No FEAR Act

Equal Employment Opportunity Data

Fiscal Year 2021, Third Quarter

U.S. Customs and Border Protection

Office of the Commissioner

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Equal Employment Opportunity Data Posted Pursuant to the No Fear Act: CBP

For 3rd Quarter 2021 for period ending June 30, 2021

1. Complaint Activity

Total	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021 (through 06/30/21)
Number of Complaints Filed	310	268	422	355	371	276
Number of Complainants	296	262	404	338	352	269
Repeat Filers	14	5	18	16	16	7

2. Complaints by Basis

Note: Complaints can be filed alleging multiple bases. The sum of the bases may not be equal to the total complaints filed.

Basis	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021 (through 06/30/21)
Race	67	65	101	84	100	68
Color	21	17	27	16	31	13
Religion	9	10	17	19	15	12
Reprisal	138	128	181	186	198	147
Sex	100	88	119	108	119	89
PDA	4	6	3	4	2	4
National Origin	77	57	114	70	86	44
Equal Pay Act	0	2	0	1	1	0
Age	80	66	114	95	112	76
Disability	88	59	91	102	108	71
Genetics	2	1	1	1	2	2
Non-EEO	18	16	26	15	31	42

3. Complaints by Issue

Note: Complaints can be filed alleging multiple issues. The sum of the issues may not be equal to the total complaints filed.

Issue	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021 (through 06/30/21)
Appointment/Hire	10	15	26	27	23	10
Assignment of Duties	51	46	122	68	91	99
Awards	9	8	10	10	16	6
Conversion to Full Time/Perm Status	1	0	0	0	0	0
Discipline: Demotion	0	1	6	2	2	2
Discipline: Reprimand	5	25	17	16	20	14
Discipline: Suspension	17	15	17	10	22	12
Discipline: Removal	4	3	2	11	5	9
Duty Hours	8	2	8	10	16	10
Perf. Eval./Appraisal	5	10	6	11	17	14
Examination/Test	2	2	11	11	6	1
Harassment: Non-Sexual	151	125	169	166	194	133
Harassment: Sexual	7	13	14	22	14	9
Medical Examination	9	5	13	10	11	3
Pay Including Overtime	7	15	11	22	24	23
Promotion/Non-Selection	66	62	74	58	69	40
Reassignment: Denied	11	3	11	7	8	6
Reassignment: Directed	3	4	16	14	10	9
Reasonable Accommodation Disability	21	18	24	35	37	16
Reinstatement	1	0	2	1	1	2
Religious Accommodation	3	2	4	2	5	2
Retirement	1	0	0	4	3	2
Sex-Stereotyping	1	0	0	0	0	0
Telework	3	1	3	2	8	10
Termination	11	11	24	23	30	21
Terms/Conditions of Employment	16	18	32	45	39	26
Time and Attendance	22	20	27	50	45	51
Training	9	14	12	16	19	5

4. Processing Time

a. Complaints Pending During Fiscal Year

Processing Time	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021 (through 06/30/21)
Average Number of Days in Investigation	181.06	228.10	233.31	225.42	239.98	328.33
Average Number of Days in Final Action	62.79	99.28	106.44	90.36	162.90	178.89

b. Complaints Pending During Fiscal Year Where Hearing was Requested

Processing Time	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021 (through 06/30/21)
Average Number of Days in Investigation	182.78	223.08	232.26	230.93	228.24	326.25
Average Number of Days in Final Action	50.85	64.64	74.00	60.86	94.23	69.79

c. Complaints Pending During Fiscal Year Where Hearing was Not Requested

Processing Time	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021 (through 06/30/21)
Average Number of Days in Investigation	182.69	240.37	246.12	223.00	267.15	332.32
Average Number of Days in Final Action	81.50	146.24	150.15	175.19	361.70	372.19

5. Complaints Dismissed by the Agency

Complaints Dismissed by Agency	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021 (through 06/30/21)
Total Complaints Dismissed by Agency	23	19	55	41	18	11
Average Days Pending Prior to Dismissal	104	119	136	143	225	563

6. Complaints Withdrawn by Complainants

Complaints Withdrawn by Complainants	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021 (through 06/30/21)
Total Complaints Withdrawn by Complainants	41	27	46	50	50	38

7. Total Final Agency Actions Finding Discrimination

a. Final Agency Actions Finding Discrimination: Breakdown by Number

Total Final Agency Actions Finding Discrimination	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021 (through 06/30/21)
Findings Without Hearing	6	3	1	3	7	2
Findings With Hearing	3	0	1	1	12	0
Total Number of Findings	**9**	**3**	**2**	**4**	**19**	**2**

b. Final Agency Actions Finding Discrimination: Breakdown by Percentage

Total Final Agency Actions Finding Discrimination	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021 (through 06/30/21)
Findings Without Hearing	67%	100%	50%	75%	37%	100%
Findings With Hearing	33%	0%	50%	25%	63%	0%

8. Findings of Discrimination Rendered by Basis

Note: Complaints can be filed alleging multiple bases. The sum of the bases may not be equal to the total complaints filed.

a. Total Number of Findings

1. Basis Breakdown by Number

Basis	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021 (through 06/30/21)
Race	2	1	0	0	4	0
Color	1	0	0	0	0	0
Religion	0	0	0	0	0	0
Reprisal	5	3	1	2	10	1
Sex	6	2	0	2	4	0
PDA	0	0	0	0	1	0
National Origin	3	1	0	0	4	0
Equal Pay Act	0	0	0	0	0	0
Age	2	2	0	1	4	0
Disability	3	0	0	1	9	0
Genetics	0	0	0	0	0	0
Non-EEO	1	0	0	0	2	0
Total	**8**	**3**	**1**	**4**	**19**	**1**

2. Basis Breakdown by Percentage

Basis	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021 (through 06/30/21)
Race	25%	33%	0%	0%	21%	0%
Color	13%	0%	0%	0%	0%	0%
Religion	0%	0%	0%	0%	0%	0%
Reprisal	63%	100%	100%	50%	53%	100%
Sex	75%	67%	0%	50%	21%	0%
PDA	0%	0%	0%	0%	5%	0%
National Origin	38%	33%	0%	0%	21%	0%
Equal Pay Act	0%	0%	0%	0%	0%	0%
Age	25%	67%	0%	25%	21%	0%
Disability	38%	0%	0%	25%	47%	0%
Genetics	0%	0%	0%	0%	0%	0%
Non-EEO	13%	0%	0%	0%	11%	0%

b. Findings After Hearing

1. Basis Breakdown by Number

Basis	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021 (through 06/30/21)
Race	1	0	0	0	3	0
Color	0	0	0	0	0	0
Religion	0	0	0	0	0	0
Reprisal	3	0	1	1	8	0
Sex	3	0	0	1	1	0
PDA	0	0	0	0	1	0
National Origin	3	0	0	0	4	0
Equal Pay Act	0	0	0	0	0	0
Age	2	0	0	0	3	0
Disability	1	0	0	0	6	0
Genetics	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0
Total	**3**	**0**	**1**	**1**	**12**	**0**

2. Basis Breakdown by Percentage

Basis	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021 (through 06/30/21)
Race	33%	0%	0%	0%	25%	0%
Color	0%	0%	0%	0%	0%	0%
Religion	0%	0%	0%	0%	0%	0%
Reprisal	100%	0%	100%	100%	67%	0%
Sex	100%	0%	0%	100%	8%	0%
PDA	0%	0%	0%	0%	8%	0%
National Origin	100%	0%	0%	0%	33%	0%
Equal Pay Act	0%	0%	0%	0%	0%	0%
Age	67%	0%	0%	0%	25%	0%
Disability	33%	0%	0%	0%	50%	0%
Genetics	0%	0%	0%	0%	0%	0%
Non-EEO	0%	0%	0%	0%	0%	0%

c. Findings Without Hearing

1. Basis Breakdown by Number

Basis	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021 (through 06/30/21)
Race	1	1	0	0	1	0
Color	1	0	0	0	0	0
Religion	0	0	0	0	0	0
Reprisal	2	3	0	1	2	1
Sex	3	2	0	1	3	0
PDA	0	0	0	0	0	0
National Origin	0	1	0	0	0	0
Equal Pay Act	0	0	0	0	0	0
Age	0	2	0	1	1	0
Disability	2	0	0	1	3	0
Genetics	0	0	0	0	0	0
Non-EEO	1	0	0	0	2	0
Total	**5**	**3**	**0**	**3**	**7**	**1**

2. Basis Breakdown by Percentage

Basis	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021 (through 06/30/21)
Race	20%	33%	0%	0%	14%	0%
Color	20%	0%	0%	0%	0%	0%
Religion	0%	0%	0%	0%	0%	0%
Reprisal	40%	100%	0%	33%	29%	100%
Sex	60%	67%	0%	33%	43%	0%
PDA	0%	0%	0%	0%	0%	0%
National Origin	0%	33%	0%	0%	0%	0%
Equal Pay Act	0%	0%	0%	0%	0%	0%
Age	0%	67%	0%	33%	14%	0%
Disability	40%	0%	0%	33%	43%	0%
Genetics	0%	0%	0%	0%	0%	0%
Non-EEO	20%	0%	0%	0%	29%	0%

9. Findings of Discrimination Rendered by Issue

a. Total Number of Findings by Issue

1. Issue Breakdown by Number

Issue	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021 (through 06/30/21)
Appointment/Hire	0	0	0	0	2	0
Assignment of Duties	2	2	0	1	2	0
Awards	1	0	0	1	1	0
Conversion to Full Time/Perm Status	0	0	0	0	0	0
Discipline: Demotion	0	0	0	0	0	0
Discipline: Reprimand	0	0	0	0	1	0
Discipline: Suspension	0	0	0	0	0	0
Discipline: Removal	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0
Perf. Eval./Appraisal	0	0	0	1	1	0
Examination/Test	0	0	0	0	0	0
Harassment: Non-Sexual	2	1	0	1	10	1
Harassment: Sexual	2	0	0	0	3	0
Medical Examination	0	0	0	0	1	0
Pay Including Overtime	0	0	0	0	0	0
Promotion/Non-Selection	2	0	0	1	1	0
Reassignment: Denied	0	0	0	0	0	0
Reassignment: Directed	0	0	0	1	1	0
Reasonable Accommodation Disability	1	0	0	1	0	0
Reinstatement	0	0	0	0	0	0
Religious Accommodation	0	0	0	0	0	0
Retirement	0	0	0	0	0	0
Sex-Stereotyping	0	0	0	0	0	0
Telework	0	0	0	0	1	0
Termination	0	0	0	0	0	0
Terms/Conditions of Employment	0	1	1	0	1	0
Time and Attendance	0	0	0	1	1	0
Training	0	0	0	0	0	0
Total	**8**	**3**	**1**	**4**	**19**	**1**

2. Issue Breakdown by Percentage

Issue	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021 (through 06/30/21)
Appointment/Hire	0%	0%	0%	0%	11%	0%
Assignment of Duties	25%	67%	0%	25%	11%	0%
Awards	13%	0%	0%	25%	5%	0%
Conversion to Full Time/Perm Status	0%	0%	0%	0%	0%	0%
Discipline: Demotion	0%	0%	0%	0%	0%	0%
Discipline: Reprimand	0%	0%	0%	0%	5%	0%
Discipline: Suspension	0%	0%	0%	0%	0%	0%
Discipline: Removal	0%	0%	0%	0%	0%	0%
Duty Hours	0%	0%	0%	0%	0%	0%
Perf. Eval./Appraisal	0%	0%	0%	25%	5%	0%
Examination/Test	0%	0%	0%	0%	0%	0%
Harassment: Non-Sexual	25%	33%	0%	25%	53%	100%
Harassment: Sexual	25%	0%	0%	0%	16%	0%
Medical Examination	0%	0%	0%	0%	5%	0%
Pay Including Overtime	0%	0%	0%	0%	0%	0%
Promotion/Non-Selection	25%	0%	0%	25%	5%	0%
Reassignment: Denied	0%	0%	0%	0%	0%	0%
Reassignment: Directed	0%	0%	0%	25%	5%	0%
Reasonable Accommodation Disability	13%	0%	0%	25%	0%	0%
Reinstatement	0%	0%	0%	0%	0%	0%
Religious Accommodation	0%	0%	0%	0%	0%	0%
Retirement	0%	0%	0%	0%	0%	0%
Sex-Stereotyping	0%	0%	0%	0%	0%	0%
Telework	0%	0%	0%	0%	5%	0%
Termination	0%	0%	0%	0%	0%	0%
Terms/Conditions of Employment	0%	33%	100%	0%	5%	0%
Time and Attendance	0%	0%	0%	25%	5%	50%
Training	0%	0%	0%	0%	0%	0%

b. Findings After Hearing

1. Issue Breakdown by Number

Issue	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021 (through 06/30/21)
Appointment/Hire	0	0	0	0	2	0
Assignment of Duties	1	0	0	1	1	0
Awards	1	0	0	1	1	0
Conversion to Full Time/Perm Status	0	0	0	0	0	0
Discipline: Demotion	0	0	0	0	0	0
Discipline: Reprimand	0	0	0	0	0	0
Discipline: Suspension	0	0	0	0	0	0
Discipline: Removal	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0
Perf. Eval./Appraisal	0	0	0	0	1	0
Examination/Test	0	0	0	0	0	0
Harassment: Non-Sexual	0	0	0	0	6	0
Harassment: Sexual	0	0	0	0	0	0
Medical Examination	0	0	0	0	1	0
Pay Including Overtime	0	0	0	0	0	0
Promotion/Non-Selection	2	0	0	1	1	0
Reassignment: Denied	0	0	0	0	0	0
Reassignment: Directed	0	0	0	0	1	0
Reasonable Accommodation Disability	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0
Religious Accommodation	0	0	0	0	0	0
Retirement	0	0	0	0	0	0
Sex-Stereotyping	0	0	0	0	0	0
Telework	0	0	0	0	0	0
Termination	0	0	0	0	0	0
Terms/Conditions of Employment	0	0	1	0	0	0
Time and Attendance	0	0	0	1	0	0
Training	0	0	0	0	0	0
Total	**3**	**0**	**1**	**1**	**12**	**0**

2. Issue Breakdown by Percentage

Issue	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021 (through 06/30/21)
Appointment/Hire	0%	0%	0%	0%	17%	0%
Assignment of Duties	33%	0%	0%	100%	8%	0%
Awards	33%	0%	0%	100%	8%	0%
Conversion to Full Time/Perm Status	0%	0%	0%	0%	0%	0%
Discipline: Demotion	0%	0%	0%	0%	0%	0%
Discipline: Reprimand	0%	0%	0%	0%	0%	0%
Discipline: Suspension	0%	0%	0%	0%	0%	0%
Discipline: Removal	0%	0%	0%	0%	0%	0%
Duty Hours	0%	0%	0%	0%	0%	0%
Perf. Eval./Appraisal	0%	0%	0%	0%	8%	0%
Examination/Test	0%	0%	0%	0%	0%	0%
Harassment: Non-Sexual	0%	0%	0%	0%	50%	0%
Harassment: Sexual	0%	0%	0%	0%	0%	0%
Medical Examination	0%	0%	0%	0%	8%	0%
Pay Including Overtime	0%	0%	0%	0%	0%	0%
Promotion/Non-Selection	67%	0%	0%	100%	8%	0%
Reassignment: Denied	0%	0%	0%	0%	0%	0%
Reassignment: Directed	0%	0%	0%	0%	8%	0%
Reasonable Accommodation Disability	0%	0%	0%	0%	0%	0%
Reinstatement	0%	0%	0%	0%	0%	0%
Religious Accommodation	0%	0%	0%	0%	0%	0%
Retirement	0%	0%	0%	0%	0%	0%
Sex-Stereotyping	0%	0%	0%	0%	0%	0%
Telework	0%	0%	0%	0%	0%	0%
Termination	0%	0%	0%	0%	0%	0%
Terms/Conditions of Employment	0%	0%	100%	0%	0%	0%
Time and Attendance	0%	0%	0%	100%	0%	0%
Training	0%	0%	0%	0%	0%	0%

c. Findings Without Hearing

1. Issue Breakdown by Number

Issue	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021 (through 06/30/21)
Appointment/Hire	0	0	0	0	0	0
Assignment of Duties	1	2	0	0	1	0
Awards	0	0	0	0	0	0
Conversion to Full Time/Perm Status	0	0	0	0	0	0
Discipline: Demotion	0	0	0	0	0	0
Discipline: Reprimand	0	0	0	0	1	0
Discipline: Suspension	0	0	0	0	0	0
Discipline: Removal	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0
Perf. Eval./Appraisal	0	0	0	1	0	0
Examination/Test	0	0	0	0	0	0
Harassment: Non-Sexual	2	1	0	1	4	1
Harassment: Sexual	2	0	0	0	3	0
Medical Examination	0	0	0	0	0	0
Pay Including Overtime	0	0	0	0	0	0
Promotion/Non-Selection	0	0	0	0	0	0
Reassignment: Denied	0	0	0	0	0	0
Reassignment: Directed	0	0	0	1	0	0
Reasonable Accommodation Disability	1	0	0	1	0	0
Reinstatement	0	0	0	0	0	0
Religious Accommodation	0	0	0	0	0	0
Retirement	0	0	0	0	0	0
Sex-Stereotyping	0	0	0	0	0	0
Telework	0	0	0	0	1	0
Termination	0	0	0	0	0	0
Terms/Conditions of Employment	0	1	0	0	1	0
Time and Attendance	0	0	0	0	1	0
Training	0	0	0	0	0	0
Total	**5**	**3**	**0**	**3**	**7**	**1**

2. Issue Breakdown by Percentage

Issue	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021 (through 06/30/21)
Appointment/Hire	0%	0%	0%	0%	0%	0%
Assignment of Duties	20%	67%	0%	0%	14%	0%
Awards	0%	0%	0%	0%	0%	0%
Conversion to Full Time/Perm Status	0%	0%	0%	0%	0%	0%
Discipline: Demotion	0%	0%	0%	0%	0%	0%
Discipline: Reprimand	0%	0%	0%	0%	14%	0%
Discipline: Suspension	0%	0%	0%	0%	0%	0%
Discipline: Removal	0%	0%	0%	0%	0%	0%
Duty Hours	0%	0%	0%	0%	0%	0%
Perf. Eval./Appraisal	0%	0%	0%	33%	0%	0%
Examination/Test	0%	0%	0%	0%	0%	0%
Harassment: Non-Sexual	40%	33%	0%	33%	57%	100%
Harassment: Sexual	40%	0%	0%	0%	43%	0%
Medical Examination	0%	0%	0%	0%	0%	0%
Pay Including Overtime	0%	0%	0%	0%	0%	0%
Promotion/Non-Selection	0%	0%	0%	0%	0%	0%
Reassignment: Denied	0%	0%	0%	0%	0%	0%
Reassignment: Directed	0%	0%	0%	33%	0%	0%
Reasonable Accommodation Disability	20%	0%	0%	33%	0%	0%
Reinstatement	0%	0%	0%	0%	0%	0%
Religious Accommodation	0%	0%	0%	0%	0%	0%
Retirement	0%	0%	0%	0%	0%	0%
Sex-Stereotyping	0%	0%	0%	0%	0%	0%
Telework	0%	0%	0%	0%	14%	0%
Termination	0%	0%	0%	0%	0%	0%
Terms/Conditions of Employment	0%	33%	0%	0%	14%	0%
Time and Attendance	0%	0%	0%	0%	14%	0%
Training	0%	0%	0%	0%	0%	0%

10. Pending Complaints Filed in Previous Fiscal Years by Status

a. Total Complaints and Complainants

Pending Complaints Filed in Previous Years by Status	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021 (through 06/30/21)
Total Complaints from Previous Fiscal Year	240	330	356	458	515	587
Total Complainants	214	295	317	416	465	520

b. Number of Complaints Pending

Status	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021 (through 06/30/21)
Investigation	0	3	2	52	65	177
ROI Issued, Pending Complainant's Action	0	5	1	1	2	3
Hearing	215	296	316	331	334	305
Final Agency Action	24	19	32	71	96	90
Appeal with EEOC Office of Federal Operations	69	84	118	152	178	186

11. Complaint Investigations

Complaint Investigation	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021 (through 06/30/21)
Pending Complaints Where Investigations Exceed Required Time Frames	0	8	3	9	59	153